

# Case study: Bulgaria's environment policy before and after joining the EU 2015

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# Chronology of Bulgaria's accession to EU 1995 - 2004 – 2007

- 1990 National Assembly adopts a decision on Bulgaria's desire to join the EComunities
- 1995 National Assembly adopts a resolution Bulgaria to submit a formal application to EU
- 1998 Council of Ministers of Bulgaria adopts a National EU Accession Strategy
- 1999 European Council decides to open negotiations with Bulgaria, Latvia, Lithuania, Slovakia, Romania and Malta
- 2004 Bulgaria closes 31 chapters of the negotiation process
- 2004 EU decides Bulgaria to join the European Union on January 1, 2007
- 2005 Bulgaria and Romania sign the Accession Agreement to the EU.



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## **The Community acquis:**

- Legal acts, and court decisions which constitute the body of European Union law
- Divided into 31 chapters for the purpose of negotiation

## **Chapter 22 Environment**

- The EU legislation in the field of environment includes: 300 legal acts, directives, regulations, decisions, recommendations, and their amendments.
- The main are: 70 directives :



## Sections of chapter "Environment" follow the structure of the acquis communautaires:

- Horizontal legislation: environmental management, collection and evaluation of information
- Air quality: country and trans boundary pollution, climate change, protecting the ozone layer
- Waste management: permits and operation of landfills and installations for waste disposal, specific types of waste: used oils, sewage sludge, packaging, batteries, old cars, electrical and electronic devices, some chemical waste, industrial and hazardous waste
- Water quality: discharged wastewater, water bodies, ground, surface and drinking water
- Nature protection: protection of biodiversity, rare, endemic, vulnerable and endangered species of wild flora and fauna and habitats, species trade
- Control of industrial pollution and risk management: industrial emissions, risk of major accidents involving dangerous substances, chemicals, GMOs, experiments with animals, control of products
- Noise from machines and equipment, motor vehicles, airplanes, household appliances, construction equipment, environmental noise
- Nuclear safety and radiation protection
- Civil protection



Harmonization of Bg legislation with the EU legislation							
No	Area	EU directives	EU reglaments	EU decisions	BG laws	BG regulations	BG Strategies
1	Horisontal	2			3		3
2	Air	16	14	12	1		1
3	Waste	21		22			3
4	Water	20		2	2	14	5
5	Nature	5	8		6	13	3
6	Indutrial polution	3	2				
7	Chemicals, GMO	9	19	5			
8	Noise	3					
9	Mining waste	1		5			
10	Climate	4	6	8			4
11	Soil				2	6	2
12	Prevention, control					2	1
	Total	84	49	54	14	35	22



## **Funding in the environmental sector**

- Before accession
- After accession: Operational programmes, European funds, central and local budgets, Fund for the financing of municipalities, other

**Types of funding:** subsidies, grants, loans



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Operational programs 2007 -2013	Operational programs 2014 - 2020
Transport	Transport and transport infrastructure
Environment	Environment
Regional development	Regions in growth
Competitiveness	Innovations and competitiveness
Human resources	Human resource development
	Science and education for smart growth
Administrative capacity	Good governance
Technical assistance	



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## Membership fee paid by Bulgaria and funds received from the EU

Year (Mln.Bg Lev)	2007	2008	2009	2010	2011	2012	2013	2014	Total 2007-2014
<b>Received</b>	1 281.63	1 661.36	1 979.39	2 335.00	2 167.51	3 322.09	3 840.89	4 345.85	20 933.72
<b>M.Fee</b>	595.20	720.12	746.16	669.74	779.15	809.31	934.12	954.85	6 208.66
<b>Difference</b>	686.43	941.23	1 233.23	1 665.25	1 388.35	2 512.79	2 906.77	3 391.00	14 725.06



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## **Fund for local authorities in Bulgaria – FLAG**

- Established: 2007 as an instrument of state policy for regional development
- Mission: support the efforts of Bulgarian municipalities in the preparation and successful implementation of projects under OP Regional Development



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## **Operational Program Environment 2007 – 2013**

- Main financial instrument for policy implementation
- Allocations: over 3 billion lev.
- Priority areas: Water, Waste, Biodiversity

### **Water**

Technical assistance, construction and reconstruction of:

- sewerage network and collectors
- water supply network
- waste water and drinking water treatment plans
- develop plans for integrated water management in four river basins



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## **Waste**

- construction of regional waste management systems, 55-31-20
- Infringement procedure for the construction of landfills, begun in 2009

## **Hierarchy of waste treatment**

- Prevention
- Reuse
- Recycling
- Disposal / landfilling, incineration



## **Waste fee**

The fee is determined for each service:

- waste collection and transport
- disposal in landfills or other facilities
- cleanliness of public areas
- investments

## **Directive 1999/31 on the landfill of waste, until 2009 to:**

- suspend the disposal of waste at landfills that do not meet the requirements,
- gradually to reduce landfill disposal of biodegradable waste, food and garden waste, and waste paper and cardboard



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## Biodiversity and Natura 2000

- European network of protected areas
- Goal: ensure long-term survival of the most valuable and threatened species and habitats in Europe
- Special areas of conservation (SAC), Habitats directive
- Special Protection Areas (SPA), Bird Directive
- Environment Action Programme stipulates: 15% of the territory of Europe



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## Country report of the EC for Bulgaria, 2015

- Bulgaria continues to face major challenges in meeting water supply and sanitation requirements
- Water losses are more than 60 % of the supply, the coverage levels of wastewater collection is 66 %, the connections with wastewater treatment plants is 50%
- Air pollution represents a serious threat for human health, 97.3 % of the Bulgarian urban population is exposed to air pollution



## **Polluter pays principle**

### **Economic instruments to implement the principle:**

- sanctions: 80% go to municipal budgets and 20% go to State Environmental Enterprise
- environmental product charges: battery packages, batteries
- user fees: waste, use of water resources
- tax differentiations
- fees for use of natural resources
- market mechanisms



## Europe 2020

- Europe 2020 is the EU's growth strategy for the coming decade
- Priorities: EU to become a smart, sustainable and inclusive economy
- Objectives: employment, innovation, education, social inclusion and climate/energy
- Member State has adopted its own national targets in each of these areas





## **Bulgarian targets for 2020**

- *Renewable energy*

Target: 16% share of RES in the gross final consumption of energy

Achievement: RES was 16.3% in 2012

- *Gross final consumption of energy in transport*

Target: 10% share of renewable energy sources

Achievement in 2012: the proportion was 0.27%

- *Waste management*

Targets:

50% of municipal waste recycled and reused,

70% of construction waste recycled

35% reduction of landfilled biodegradable



# Prevention

## **Environmental Impact Assessment (EIA):**

- preventive tool to identify potential impacts on the environment and human health
- construction and operation of investments in all sectors of the economy and infrastructure development
- early stage of their research and development
- before a decision is taken to implement them incl. place, technology, construction method



## **Environmental assessment (EA):**

- preventive tool for assessing the potential significant environmental impacts resulting from the implementation of plans and programs
- national, regional and local level are being drafted



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## **Integrated pollution prevention and control (IPPC):**

- preventive tool in the construction and operation of new and operation of existing plants and facilities

## **Environmental responsibility:**

- restoration of environmental damage caused by past actions or inactions



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## **Voluntary environmental tools:**

- EU Eco-Management and Audit Scheme (EMAS): management instrument developed for companies and other organizations to evaluate, report, and improve their environmental performance
- European eco-label scheme
- ISO 14001 environmental management system, approach to controlling those aspects of the business that have a significant impact on the environment. ISO originated from the ISO (International Federation of the National Standardizing Associations) and the UNSCC (United Nations Standard Coordinating Committee)



## **The EIA Directive (85/337/EEC), Bulgaria 2003**

- Mandatory EIA: all projects listed in Annex I are considered as having significant effects on the environment
- For projects listed in Annex II: authorities (MoEW, RIEW) decide whether an EIA is needed

### **The EIA procedure:**

- the developer requests the competent authority to say what should be covered by the EIA information (scoping stage)
- the developer must provide information on the environmental impact
- the environmental authorities and the public must be informed and consulted
- the competent authority decides, taken into consideration the results of consultations
- the public is informed of the decision before the courts



## **SEA Directive 2001/42/EC, Bulgaria, 2004**

- SEA is mandatory for plans/programmes: agriculture, forestry, fisheries, energy, industry, transport, waste/ water management, telecommunications, tourism, town & country planning or land use

### **The SEA and EIA procedures are very similar, but there are some differences:**

- SEA requires the environmental authorities to be consulted at the screening stage
- scoping stage determines the content and extent of the matters to be covered in SEA report
- SEA requires an assessment of reasonable alternatives



## **Appropriate assessment, Habitats directive 92/43/EEC, Bird Directive 2009/147/EC Bulgaria 2007**

- process for assessment of the likely significant effect of plans, programs, projects and investments with the aim of conserving protected areas



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## Involvement of civil society

- In Bulgaria there are over 34,000 NGOs, 2012
- 9000 registered in the Ministry of Justice as public benefit organizations
- An average of 300 per city / 264 municipalities
- 5400 NGOs are registered in the “NGO Information portal”
- Among them: education - 13%, social sphere - 11%, culture - 9%, youth - 7%, the rest work in the 20 areas



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## NGO Sustainability Index (CIVICUS)

- It measures of civic activity in 29 countries in Central and Eastern Europe and Eurasia
- Components: legal environment, organizational capacity, financial viability, advocacy, service provision, infrastructure, public image.
- Index of sustainability of NGOs in Bulgaria was: 3.1 in 2007 and 3.4 in 2011



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## Participation of Bulgarian NGOs in central and local governmental governance:

- 51 representatives of NGOs involved in 25 committees and working groups, 2014
- Ministerial Ecological Expert Council - 4 representatives of NGOs
- OP Environment
  - Monitoring Committee of the OP
  - Prioritization, development, management, monitoring
  - Projects development, implementation, monitoring
  - Programming with ministries municipalities
  - Lobbying and advocacy management
- Regional Development Councils



## **Civil society “Bluelink Citizen Action Network”, 2002**

- Civil E-Representation: Internet platform for election of NGO representatives in various working groups and committees to institutions dealing with issues of sustainable development and environment



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# Problems

- cumbersome and non-transparent administrative requirements,
- limited funds, unspent funds
- majority of the funds are provided for subsidies
- pseudo environmental organizations
- businesses establish NGOs to have access to financing or to protect corporate interests
- many NGOs are actually companies for corporate advisory services
- society is not convinced that NGOs work in his favor
- philanthropy and volunteerism are underdeveloped



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# Strategy for development of civil society organizations in Bulgaria, 2012, CM

- Objective : to create suitable conditions for the development of civil society organizations in the country and stimulate partnership with national and local authorities.

## Council for civil society development, 2013

### Tasks

- debate on the public agenda
- represent and protect the interests of different social groups
- corrective to national and local policies
- engine of dialogue between government and citizens
- independent analysis of governance
- participate in the preparation, implementation and evaluation of plans and policies
- inform the public
- carrier of volunteering and charity



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## **Structure:**

- 9 representatives of ministries,
- 9 representatives of NGOs registered at the Ministry of Justice as NGOs of public benefit

## **Financing of NGOs**

- Funding - donations, state funds, own income from membership fees, business and others.
- OP “Administrative Capacity” provides grants to NGOs
- Programme for NGOs support in Bulgaria is part of the implementation of the Financial Mechanism of the European Economic Area. Total approximately 11.8 million. Euro funded by donor countries Iceland, Liechtenstein and Norway.



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## **Funding in other countries**

- State subsidies and grants
- Independent foundations distribute state subsidies among various NGOs
- "1% mechanism". Every taxpayer gives 1% of their taxes to NGOs chosen by him



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